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Attorneys for Defendants

Ascena Retail Group, Inc. and Lane Bryant, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ANITA LEAKEY, an individual, on her own
behalf and on behalf of all others similarly
situated,

Plaintiffs,

v.

ASCENA RETAIL GROUP, INC., a Delaware
corporation; LANE BRYANT, INC., a
Delaware corporation,

Defendants.

Civil Action No.: 2:18-cv-12221-CCC-MF

**NOTICE OF MOTION TO DISMISS
AND TRANSFER VENUE**

Oral Argument Requested

Motion Day: December 3, 2018

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COUNSEL:

PLEASE TAKE NOTICE that on December 3, 2018 at 9:00 a.m., or as soon thereafter as counsel may be heard, Defendants Ascena Retail Group, Inc. and Lane Bryant, Inc.

("Defendants"), by and through their counsel, Morgan, Lewis & Bockius, LLP, will move before the Honorable Claire C. Cecchi, U.S.D.J., of the United States District Court for the District of New Jersey, at the Martin Luther King Building & U.S. Courthouse, located at 50 Walnut Street, Newark, New Jersey 07101, for the entry of an Order pursuant to 28 U.S.C. §1404 transferring this action to the United States District Court for the Southern District of Texas or, alternatively, for entry of an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing the claims asserted by Plaintiff Anita Leakey for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants shall rely upon the accompanying memorandum of law and Declarations of Anna Gonzalez and Gary Holland.

Dated: November 5, 2018

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

s/ Sean P. Lynch

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